

# UMBRELLA SALE

THIS WEEK ONLY

We offer three hundred and fifty fine English twilled

SILK UMBRELLAS,

each. They come in 26 inch and 28 inch, have silk covers, sterling silver handles, and are, in every respect, equal to the Umbrellas you usually pay \$3.50 to \$4 for.

MODEL

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CLEARANCE SALE

BOYS'

Chinchilla

Overcoats.

Take your pick of those that have sold at

\$22, \$20, \$18, \$16.50

FOR

\$10.99

\$10.99

\$10.99

\$10.99

\$10.99

\$10.99

\$10.99

\$10.99

\$10.99

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\$10.99

We'll make things lively for wearers of

MEN'S SHOES

This week. More men must have MODEL Shoes on their feet. WE know that MODEL Shoes are the best for the price. We want to convince YOU of the fact. This week, then, in order to introduce our Men's Fine Shoes to hundreds who have not yet tried them, we offer choice—

Of all of our Men's regular \$5 and \$4.50 Shoes at \$3.75.

Of all of our regular Men's \$4, \$3.50 and \$3 Shoes, at \$2.68.

We show you these Shoes in Cordovan, Calf, Kangaroo and Patent Leather, in all widths and sizes, in both Lace and Congress.

We have a complete line of Dancing Shoes for Ladies, Men, Boys and Children.

We are Sole Agents for J. C. BENNETT & CO.'S Ladies' Fine Shoes.

KERSEY OVERCOATS

Dame Fashion has decreed that the Kersey or Melton shall take the lead in Overcoats this year. We show a line of these stylish and serviceable garments, so large and varied, that it must be a peculiar sort of a man that we can't both fit and please. We have these garments in every fashionable shade and color; some single, some double-breasted; some with full velvet collars; some with insert velvet collars; some with cloth collars. Most of them are lined with fancy plaid linings, but many of them have fine Italian, serge or silk linings. We show them in all grades, from a good Domestic Melton at \$10, to the finest imported grades at \$45.



CLEARANCE SALE

BOYS'

Chinchilla

Overcoats.

Take your pick of those that have sold at

\$15, \$12 and \$10

FOR

\$7.99

\$7.99

\$7.99

\$7.99

\$7.99

\$7.99

\$7.99

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# HAT SALE

THIS WEEK,

THIS WEEK ONLY,

WE OFFER CHOICE OF ANY

SOFT OR STIFF

HAT

In our House, (Knox Hats excepted),

\$2.65

At this price, for this week, you can buy any of our regular \$4.50, \$4, \$3.50 and \$3, Soft or Stiff Hats.

MODEL

## OUTCOME OF DAMAGE SUITS

Broken Bones Made the Basis of a Good Deal of Litigation Against the City.

Queer Cases That Come Into the Care of Municipal Attorneys—A Drunkard's Regard for Comfort and a Professional Litigator.

Damage suits against the city came up in the course of conversation two or three lawyers and a reporter had the other day. The many causes therefor and the evident willingness of persons to lie in wait for an opportunity to sue somebody were traversed. The chances for and against judgment for plaintiffs were enumerated, as were the peculiarities of such litigation. Ex-Mayor Denny was one of the party, and he said when he became city attorney, in January, 1882, there were forty or more suits of that kind against the city. "Some of these," he continued, "were getting old and gray-headed, and the greater number of them were for personal injuries of various kinds. Prior to that time a number of suits had resulted in large verdicts against the city on account of defects in streets and sidewalks, and it had become the popular notion that almost any injury received upon the streets could be made the basis of an action against the city. In addition to these forty cases there must have been twenty others of that character brought during the first year of my term. The outlook was by no means agreeable for a young official, but I succeeded in getting a decision that put a different face upon matters. The Supreme Court in one of these cases, which had resulted in a large verdict for the plaintiff, modified some former decisions of that court on the subject of liability of municipal corporations to such an extent as to enable me to defeat nearly all of the damage suits which had been brought prior to that time. When this turn came people quit bringing suits for injuries resulting from trifling defects in streets and sidewalks."

"What were the circumstances attending that decision?" the reporter asked. "I don't care to be too explicit," said the ex-Mayor, "but the case was reversed upon establishing the fact that the plaintiff had been in the habit of passing alone a particular sidewalk where the injury occurred, and was familiar with its condition, and, having received the injury at night, the court held that he was guilty of contributory negligence in attempting, in the dark, to pass the obstruction that caused the injury. After this decision I had very little trouble with the majority of these personal damage suits, for a majority of such really have no substantial merit. I recall a rather strange case. It had been left to me by my predecessor. The woman came to court convinced by a majority of fully investigating the case and the facts. It was tried by a jury, and lasted several days. A woman was the plaintiff, and she sued for \$10,000 damages, claiming that she had received a compound fracture of the femur. The evidence of the physicians who waited upon her was taken without question, so far as the character of the injury was concerned, and it had been by my predecessor who had on this point convinced me before entering upon the trial that I ought not to even attempt to make any question as to the serious nature of the case was tried, the apparently suffered great pain all the time, and while I thought I made a good defense for the city on the ground that the accumulation of ice on the sidewalk, upon which she claimed to have stumbled, was not such an

obstruction and had not existed so long a time as to render the city liable, yet I had grave doubts. I doubted whether I could get a verdict from the jury on account of the sympathy that naturally followed the plaintiff because of her supposed permanent helpless condition. "Did she get a verdict?" "No, I got a verdict for the city after a day and night's deliberation by the jury. A few days after the verdict was rendered her attorney concluded that he would not move for a new trial, and the day following this announcement the woman was passing the streets without crutch or cane, in apparently perfect physical condition. A listener here called to Mr. Denny's recollection the case of a man who took advantage of an imperfection in a sidewalk to fall and break an arm, which was one of other injuries he received. He made his injuries appear of great magnitude to a sympathetic jury, and a verdict for a couple of thousand dollars was returned against the city. "I have heard of that case," said Mr. Denny, laughing, "but that was before my time. The sequel of the story is rather remarkable. The man, seemed to have made it a business to go about hunting up opportunities for breaking his bones and realizing thereon by means of damage suits. He is said to have got a verdict on a broken arm previous to his suit against this city, and on leaving here he went to Chicago, where a few months later he brought suit against that city and a property-owner for a broken arm and other injuries. The Chicago folks suspected him for some reason, and in looking up his record found that he had recovered on the same arm from Indianapolis, and that was a sort of professional bone-breaker. Of course, that suit came to nothing. "I remember another case," resumed Mr. Denny, "that was somewhat singular. It was one in which a man, who was well known as a frequent guest at the police station by reason of drunkenness and misdemeanors growing out of that vice, sued the city for a large amount on account of rheumatism contracted, as alleged in his complaint, while confined at the station-house. His claim was that the city had furnished him with a comfortable bed, and that he was greatly worried about this case until I traced his history and found him to be a common drunkard, and I was by no means sure of the jury as when he appeared for trial he was well dressed and of good appearance. His lawyer, now dead, had probably taken the case on a contingent fee and had fixed him up in good style. "Is not Thomas Wren the oldest litigator against the city?" "Yes, and his case presents many peculiar and interesting features, at least to lawyers. Twenty-five years ago Mr. Wren was a prosperous street contractor of this city. In the course of his business he was awarded a contract to improve a long strip of South Tennessee street, Pogue's run in, which that street about the center of the line of that improvement. At that time a very large fill had to be made on both sides of the stream in order to establish a proper grade. Just before the final estimate was made of Mr. Wren's work, the great flood of 1866 or 1867, I cannot now exactly fix upon the year, overflowed the banks of that treacherous stream and washed away the greater part of Mr. Wren's labor. He was unable to complete the embankments and, feeling that he ought not to lose the large amount of money he had put into his work, began litigation which, in one form or another, held place on the dockets of the courts until 1888, about twenty-two years. When I became city attorney one of his many suits was pending in one of the rooms of the Superior Court. No trial could be had in that court, because all of the judges had at one time or another been attorneys for Mr. Wren concerning this claim. It went forward and back between the Circuit Court and the different rooms of the Superior Court, without finding a judge competent to try it, and this state of affairs continued for about three years. Finally a judge was found who had not at any time been employed in the case. He decided a legal question then pending on demurrer, but this judgment of a special term had to be reversed pro forma in general term, because two of the judges could not sit in the case, a thing perhaps never before done in that court. The judgment in favor of the city, when it got into the Supreme Court, was

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## RICH MINES IN KANSAS.

Mr. Schmuck Is Trying to Get Rich on Lead and White Zinc to Be Found in the West.

Mr. Gabriel Schmuck, ex-Clerk of the Supreme Court, is still a citizen of Indianapolis, though his absences are so protracted that he is likely to be forgotten at the primaries. He came back the other day, after several months' absence, to vote, and will remain until after Thanksgiving day. "I am engaged in mining in Cherokee county, Kansas, down next to Indian Territory," said he to a reporter yesterday. "It is a most wonderful country. There have been as rapid rises in values there as in almost any place in the United States. There is in the town of Galena an old German who years ago entered 160 acres of land. It proved to be valuable, containing rich deposits